

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R. RAMACHANDRAN NAIR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

WP(C).No. 14143 of 2007(H)

PETITIONER:

**N. SREEKUMARAN NAIR,
RETD. DRIVER, SREESANTH BHAVAN,
T.C. 53/1949, NEMOM P.O., TRIVANDRUM.**

BY ADV. SRI. S. MOHAMMED AL RAFI

RESPONDENT:

**KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY MANAGING DIRECTOR,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SMT. M.R. PUSHPALATHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

T.R. RAMACHANDRAN NAIR, J.

W.P. (C) NO. 14143 OF 2007

Dated this the 2nd day of May, 2007.

J U D G M E N T

The petitioner retired from service of the respondent on 31.07.2006 and his retiral benefits have not been paid so far. As far as the payment of retiral benefits of the employees of the Corporation are concerned, the same is governed by directions of this Court in a Writ Appeal. As per the judgment in that Writ Appeal No. 289/2001, retiral benefits have to be paid as per seniority.

2. According to the petitioner, the marriage of his eldest daughter is fixed on 20.05.2007 and Exhibit P2 is the copy of the invitation card. The petitioner has filed this writ petition seeking for a direction to pay him the retiral benefits for the smooth conduct of the marriage and he is relying upon Exhibit P5 judgment of the Division Bench of this Court in Writ Appeal No. 1377/2004. In similar circumstances, for meeting the marriage expenses, this Court directed the Corporation to disburse to the appellant in that writ appeal his retiral dues.

3. Since the petitioner has brought out urgent necessity for disbursal of his retiral benefits as he has to meet the expenses in connection with the marriage of his daughter, there is no justification

to deny the retiral benefits due to him. Hence, following Exhibit P5 judgment, this writ petition is allowed and the respondent-Corporation is directed to disburse to the petitioner his retiral benefits (DCRG, commuted value of pension and staff welfare fund amount) forthwith to enable him to meet the expenses of his daughter's marriage.

This writ petition is allowed.

T.R. RAMACHANDRAN NAIR
JUDGE

smp